



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No. 3740

Okito NISHIO

Group Art Unit: 1722

Application No. 10/766,486

Examiner: Timothy W. Heitbrink

Filed: January 29, 2004

Attorney Dkt. No. 58546.00014

For: INJECTION MOLDING APPARATUS

TERMINAL DISCLAIMER UNDER 37 CFR 1.321(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner, SUMITOMO HEAVY INDUSTRIES, LTD., having its place of business at 9-11, Kitashinagawa 5-chome, Shiagawa-ku, Tokyo 141-8686, Japan, represents that it is the assignee and owner of all right, title and interest in and to U. S. Patent Application Serial No. 10/766,486, filed January 29, 2004, for INJECTION MOLDING APPARATUS, the assignment for the application being recorded in the Patent and Trademark Office on September 6, 2002 at Reel 013263, Frame(s) 0973. Petitioner is also the assignee of all right, title, and interest in and to U. S. Patent No. 6,755,636, issued June 29, 2004, the Assignment for the patent being recorded in the Patent and Trademark Office on September 6, 2002 at Reel 013263, Frame 0973.

Petitioner hereby disclaims the terminal part, if any, of any patent granted on application Serial No. 10/766,486, which would extend beyond the expiration date of United

States Patent No. 6,755,636 issued June 29, 2004, and hereby agrees that any patent so granted on application Serial No. 10/766,486, shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to United States Patent No. 6,755,636, this agreement to run with any patent granted on the application, Serial No. 10/766,486, and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 6,755,636 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(c), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned on behalf of petitioner, SUMITOMO HEAVY INDUSTRIES, LTD., hereby states and declares that I have the authority to execute this Terminal Disclaimer on behalf of the petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

SUMITOMO HEAVY INDUSTRIES, LTD.

Date: 2006/02/15

By: 西尾 興人
(Signature)

OKITO NISHIO
(Name)

INJECTION MOLDING APPARATUS
(Title)